

Atty. Dkt. No. 041673-2092

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
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OCT 05 2006**

Applicant: Prussak, et al.  
Title: NOVEL CHIMERIC TNF LIGANDS  
Appl. No.: 10/006,305  
Filing Date: 12/6/2001  
Examiner: Philip Gambel  
Art Unit: 1743  
Confirmation Number: 1335

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  _____ <i>Rachel Caputo</i> (Printed Name)  _____ <i>Rachel Caputo</i> (Signature)  _____ 10/5/06 (Date of Deposit)
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**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ [ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- ☐ [ ] Assertion of Small Entity status is enclosed.

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☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	29	-	67	=	0	x	\$50.00	=	\$0.00
Independent Claims:	2	-	5	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						x	\$360.00	=	\$360.00
CLAIMS FEE TOTAL									= \$360.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$360.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$360.00

The Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card

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payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10 - 5 - 2006By 

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6720  
Facsimile: (858) 792-6773

Stacy L. Taylor  
Attorney for Applicant  
Registration No. 34,842

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**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated August 1, 2006,  
concerning the above-referenced patent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3  
of this document.

**Remarks/Arguments** begin on page 9 of this document.

Please amend the application as follows:

DLMR\_288318.1

-1-

10/06/2006 TL0111 03000943 500872 10006395  
01 FC:1203 360.00 DA

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**In the Title:**

Please replace the existing title (at the top of page 1 of the Specification) in its entirety with the following text:

CHIMERIC TNF LIGANDS

**In the Abstract:**

Please amend paragraph [0120] as follows:

[0120] The present invention is directed to an isolated polynucleotide sequence encoding a chimeric TNF $\alpha$  and chimeric TNF $\alpha$  polypeptides. ~~The former have comprising~~ a first nucleotide sequence encoding a domain or subdomain of a tumor necrosis factor ligand other than TNF $\alpha$ , wherein the encoded domain or subdomain ~~replaces~~ lacks a cleavage site ~~of native TNF $\alpha$~~ , and a second nucleotide sequence encoding a domain or subdomain of native TNF $\alpha$  that binds to a TNF $\alpha$  receptor. The encoded chimeric TNF $\alpha$  is significantly less susceptible to cleavage from the cellular surface and, as a result can increase the concentration of a ligand capable of binding to a TNF $\alpha$  receptor on the surface of a cell. The chimeric TNF $\alpha$  is therefore useful in methods for inducing apoptosis of a cell expressing a TNF $\alpha$  receptor, inducing activation of an immune system cell and treating neoplastic cells, by introducing into the cell of interest an isolated polynucleotide sequence encoding a chimeric TNF $\alpha$  that is expressed on the surface of the cell.